DOCUMENT RESUME

ED 355 651 EA 024 760

AUTHOR Gaustad, Joan
TITLE Substance Abuse Policy. ERIC Digest, Number 80.
INSTITUTION ERIC Clearinghouse on Educational Management, Eugene, Oreg.
SPONS AGENCY Office of Educational Research and Improvement (ED), Washington, DC.
REPORT NO EDO-EA-93-2
PUB DATE Apr 93
CONTRACT RI88062004
NOTE 3p.
AVAILABLE FROM ERIC Clearinghouse on Educational Management, University of Oregon, 1787 Agate Street, Eugene, OR 97403 (free; $2.50 postage and handling).
PUB TYPE Information Analyses - ERIC Clearinghouse Products (071) -- Guides - Non-Classroom Use (055)

EDRS PRICE MF01/PC01 Plus Postage.
DESCRIPTORS Alcohol Abuse; *Board of Education Policy; *Discipline Policy; Drug Abuse; Elementary Secondary Education; *Policy Formation; Student Rights; *Substance Abuse
IDENTIFIERS ERIC Digests

ABSTRACT

Substance abuse affects American children across all geographic and economic boundaries and has been linked to poor academic performance, truancy, and dropping out. Schools lacking clear alcohol and drug policies are more likely to experience problems with substance abuse. A districtwide substance abuse policy makes a public statement that educators are aware of and have a consistent approach to the problem. A policy should begin with a philosophical statement outlining the district's position on substance abuse. The discipline code should clearly specify what constitutes a drug offense. These measures should be accompanied by intervention and prevention policies. Developing these policies should involve all stakeholders in the educational community, including students, educators, parents, law enforcement personnel and citizens. Once a substance abuse policy is created, communication and revision of the policy should be ongoing. In implementing a substance abuse policy, schools should balance their obligation to provide a safe school environment with students' privacy and right to due process. (JPT)

****
* Reproductions supplied by EDRS are the best that can be made *
* from the original document. *
****

ED355651

ERIC DIGEST

APRIL 1993 NUMBER 80 EDO-EA-93-2

U.S. DEPARTMENT OF EDUCATION
Office of Educational Research and Improvement
EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)
☑ This document has been reproduced as received from the person or organization originating it.
☐ Minor changes have been made to improve reproduction quality.
• Points of view or opinions stated in this document do not necessarily represent official OERI position or policy.

Substance Abuse Policy

by Joan Gaustad

Substance abuse affects American children of all economic backgrounds in every geographic area. Research has linked drug use to a decline in academic performance, to truancy and dropping out, and to crime and misconduct. All too often, illegal substances are used and distributed on school property.

Students whose schools lack clear alcohol and drug policies are more likely to use or experiment with chemical substances. While good policy alone can't reduce substance abuse, it is the indispensable foundation for an effective effort against substance abuse.

Why Is Substance-Abuse Policy Important?

Substance-abuse policy makes a public statement that educators are aware of and concerned about the problem. Policy can express the intent and beliefs of school and community and their resolve to work toward a solution. It establishes long-range goals and sets an overall tone that will support specific actions.

A districtwide policy helps maintain consistency in prevention and intervention efforts and promotes fair, uniform treatment of students at different schools. It guides the development of site-specific procedures and ensures program continuity if a key building administrator should depart. In addition, recent legislation requires schools to possess comprehensive substance-abuse prevention policies and programs in order to be eligible for federal funding.

What Should a Comprehensive Substance-Abuse Policy Include?

A policy should begin with a *philosophical statement* articulating the district's position regarding substance use (PrevNet 1990). According to education consultant Judy Graves, an antidrug stance isn't enough. Policymakers should also consider: "What is it we believe in as a school community and what do we want to promote?" Drug abuse should be seen in context, as an obstacle that hinders the achievement of positive goals (telephone interview, February 16, 1993).

The *discipline* code should specify what constitutes a drug offense, explicitly defining prohibited substances and behavior. Policy should establish the extent of school jurisdiction. For example, the code can state that prohibitions also apply to school-sponsored events that take place off campus, or that any substance use that would impair student functioning in school is prohibited. Types of violation should be distinguished and consequences of varying severity set depending on the type and frequency of violations. Provision should also be made for enabling suspended or expelled students to continue their studies. The Office of Educational Research and Improvement (1991) supports notifying parents of all drug offenses and stresses the importance of linking punishment to corrective action such as referral for treatment and counseling.

Here discipline blurs into *intervention*. A district should either provide student and employee assistance programs or refer offenders to outside agencies. Nonpunitive help should be made available for students and staff who request it, including nonusers affected by friends' or family members' substance abuse. Aftercare should be provided for those in recovery.

A policy should state desired *prevention* goals and the types of preventive efforts the district will support. A specific prevention curriculum may be authorized. Policy should mandate drug awareness and prevention training for *all* staff, from administrators to cooks (OERI).

Comprehensive regulations and procedures must support policies in all three areas. The roles and responsibilities of school personnel in various situations must be clearly defined. Procedures are needed for reporting incidents and suspected use, for notifying parents, for responding to drug-related emergencies, and for coordinating with community agencies and the police.

How Should a Substance-Abuse Policy Be Developed?

Schools alone can't defeat a problem as complex and socially deep-rooted as substance abuse. The whole-hearted support of parents, staff, and community is critical to success. Thus involving all parties in policy development is an "essential investment of time and energy" (Linn-Benton [Oregon] Education Service District and ERIC Clearinghouse on Educational Management 1991). The process should include teachers, administrators, classified staff, parents, and students, as well as representatives of law enforcement and juvenile justice agencies, treatment programs, businesses, and community organizations.

According to Colker and Flatter (undated), an understanding of chemical dependency is a prerequisite to effective policy development. Assessing the extent of substance abuse within the district is another vital preliminary step; to be maximally effective, policy must be tailored to local needs. Effective policymakers also anticipate potential problems that may develop in the future.

Once a general policy outline has been created, previous policies should be examined to see how well they ad-

EA 024 760

ERIC BEST COPY AVAILABLE

CLEARINGHOUSE ON EDUCATIONAL MANAGEMENT • UNIVERSITY OF OREGON

dress current needs. Colker and Flatter suggest asking administrators to describe current policies without referring to documents. Poorly remembered points may have been badly written and require revision. Next, resources must be examined to see whether they are sufficient to support the desired policy.

The policy-development process is complex, time-consuming, and sometimes tedious and emotionally draining. Districts should anticipate the human factors involved and allow from nine months to a year for completion. The Linn-Benton ESD and ERIC/CEM suggest specific procedural steps to streamline the process and ease pressure on participants.

How Should Policy Be Communicated?

Ongoing communication is more effective than sporadic, one-shot policy messages for staff, students, parents, and other citizens.

Distribute the policy in writing, discuss it verbally, and review it periodically. Many schools require students and parents to state in writing that they have read and understand the school policy handbook. At Miami's W. R. Thomas High School, staff go over substance abuse and other school policies with each new student admitted in mid-year (Ficklen 1990). Palatine, Illinois, high school athletes must read and sign a code of conduct promising to remain drug free, and must attend a drug-awareness meeting with their parents at the start of the season (OERI).

Presenting substance abuse policy along with other issues at classroom get-togethers for parents is more effective than relying on special substance-abuse events. Policy information can also be shared at parent-teacher conferences.

Administrators should reach out to the community personally and via local media. School staff can speak to civic, service, and religious groups. School board members can transmit information to organizations to which they belong.

Colker and Flatter suggest that administrators regard policy as "a product to be marketed" and urge them to be persistent and creative in their efforts. For example, sponsor school information booths at shopping centers. Ask large employers to distribute information via employee newsletters, and the utility company to enclose information with bills. Ask owners of stores that sell alcohol and tobacco, especially those near schools, to ensure their employees obey laws against selling to minors.

What Legal Issues Should Be Considered?

Schools must balance their obligation to provide a safe academic environment against protecting students' privacy and right to due process. Recognizing that the first takes priority over the second, the U.S. Supreme Court has allowed school officials considerable discretion to act (Lewis and others 1992).

Search and seizure procedures must meet a "reasonableness standard." There must be reasonable suspicion that a student has violated school policy, and the intrusiveness of the search must be reasonable given the student's age and the seriousness of the suspected violation. Some particularly intrusive procedures such as drug-sniffing dogs, strip-searches, and urinalysis have not yet been addressed by the Supreme Court (Lewis and others). Schools should also be aware that they are legally responsible for the cost of drug-testing procedures they require.

To ensure *due process*, students facing expulsion or a suspension of ten days or more must be given a hearing. Hearing procedures may vary according to the severity of the sanction. The Department of Education summarizes hearing guidelines established to date by federal courts.

Clear, well-publicized policies help protect schools against legal challenges. For example, courts have upheld unannounced locker searches when policy specified that lockers are school property, not private, and subject to search. Prohibiting drug "look-alikes" avoids the problem of proving the composition of confiscated substances (Frels and others 1990). Establishing an unbroken "chain of custody" from the moment of seizure is essential for evidence that may be used in a criminal trial. Behavior or activities that prompted a search should be scrupulously documented. Schools must also comply with laws concerning confidentiality of education records when aiding law-enforcement authorities.

After a district consults an attorney to ensure that its substance-abuse policies conform to federal, state, and local laws, it can assure staff they need not fear liability for their antidrug actions. School officials are generally not personally liable for actions taken in good faith, as long as those actions are reasonable, evenhanded, and lawful (U.S. Department of Education 1989).

RESOURCES

California State Department of Education. *Not Schools Alone: Guidelines for Schools and Communities to Prevent the Use of Tobacco, Alcohol, and Other Drugs among Children and Youth*. Sacramento, California: 1991. 40 pages. ED 333 257.

Colker, Laura J., and Charles H. Flatter. *Drug-Free Schools and Children: A Primer for School Policymakers*. Rockville, Maryland: American Council for Drug Education, undated.

Drug Enforcement Administration. *School Drug Abuse Policy Development Guide for School and Community Officials*. Washington, D.C.: U.S. Department of Justice, undated.

Ficklen, Ellen. "Detours on the Road to Drugs." *The American School Board Journal* 177, 2 (February 1990): 19-22. EJ 402 372.

Frels, Kelly, and others. *School Discipline Policies and Procedures: A Practical Guide—Revised Edition*. Alexandria, Virginia: National School Boards Association, April 1990. 49 pages. ED 322 597.

Lewis, John F., and others. *A Practical Guide for Administrators and Educators for Combatting Drug and Alcohol Abuse, Second Edition*. Topeka, Kansas: National Organization on Legal Problems of Education, 1992. 48 pages.

Linn-Benton Education Service District and ERIC Clearinghouse on Educational Management. *At-Risk Youth in Crisis, Volume 4: Substance Abuse*. Eugene, Oregon: ERIC Clearinghouse on Educational Management, 1991. 64 pages. ED 332 308.

Office of Educational Research and Improvement. *Success Stories from Drug-Free Schools: A Guide for Educators, Parents, and Policymakers*. Washington, D. C.: author, 1991. 127 pages. ED 343 041.

PrevNet. *Guidelines for Developing Comprehensive Alcohol, Tobacco, and Other Drug Policies, Regulations and Procedures*. Sacramento, California: Sacramento County Office of Education, 1990. 18 pages.

U.S. Department of Education. *What Works: Schools Without Drugs*. Washington, D.C.: author, 1989. 96 pages. ED 313 654.

A Product of the ERIC Clearinghouse on Educational Management • College of Education, University of Oregon • Eugene, Oregon 97403

This publication was prepared with funding from the Office of Educational Research and Improvement, U.S. Department of Education, under contract No. OERI RI88062004. The ideas and opinions expressed in this Digest do not necessarily reflect the positions or policies of OERI, ED, or the Clearinghouse. This Digest is in the public domain and may be freely reproduced. EA024 760.